

Appln. No. 09/866,523
Amendment dated April 3, 2006

PATENT
Attorney Docket No. 3063/2

REMARKS

Claim Status

The Office Action indicates that claim 1 is pending. New claims 2-17 are presented herein for entry and consideration on the merits. No new matter has been added. Applicant respectfully requests reconsideration in view of the following remarks.

The 35 USC § 103 Rejection

The Office Action rejects claim 1 under 35 U.S.C. §103 as being unpatentable over U.S. Patent No. 5,708,845 ("Wistendahl") in view of U.S. Patent No. 6,182,090 ("Peairs"). For at least the reasons presented below, Applicant respectfully traverses this rejection, and requests that this rejection be withdrawn.

According to the system claimed in claim 1, a digital signal is generated comprising of interleaved bits of at least one of audio, video and binary data for play on a playing device and private data. The private data includes at least event identification, indication of a number of hot-spots for linking to at least one of audio, video and binary data using link data. Link data includes at least a set of coordinates, link event identification and synchronization time. The digital signal is broadcast and then received by a receiver, which plays at least one of the audio, video and binary data on the playing device. The receiver also can selectively exercise upon a hot-spot by reading the link data and playing the linked to audio, video and binary data.

As discussed below, Applicant respectfully submits that Wistendahl and Peairs, individually or in combination, do not teach or suggest, *inter alia*, "interleaved bits of at least one of audio, video and binary data for play on a playing device and private data," nor "link data

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including . . . synchronization time indicating the temporal position of the additional at least one of audio, video and binary data," as claimed by Applicant.

Wistendahl relates to allowing media content to be used in an interactive digital media program. The media content is in the form of digital data representing a series of successive display frames having frame addresses with object mapping data representing objects appearing in the media content. The object mapping data is kept separate from the frame data. Peairs relates to a system and method for taking a sample page from a document and processing that sample page to produce an iconic representation.

With respect to Wistendahl, the Office Action asserts that "a signal generator which generates a digital signal comprising interleaved bits" is met by the "workstation which is used by an author to edit audiovisual information and add hyperlinks." (Office Action, page 2). Applicant submits, however, that Wistendahl neither discloses nor suggests interleaved bits. In fact, Wistendahl actually teaches away from this at least insofar as Wistendahl describes maintaining data separation. For instance, Wistendahl states that "[t]he N Data are maintained separately from the Frame Data for the media content, so that the media content can be kept intact without embedded codes and can be played back on any system," (Abstract), and also states that "[i]n the present invention, the N Data for marked objects are maintained as separate data from the media content so as to leave the latter uncorrupted by any embedded or proprietary codes" (Col. 12, lines 10-13). Thus, the arrangement proposed by Wistendahl clearly is directed at separate digital data, not a digital signal comprising interleaved bits. Moreover, Applicant submits that Peairs does not remedy this deficiency. Accordingly, Wistendahl and Peairs, whether considered individually or in combination, fail to disclose or suggest "a digital signal comprising interleaved bits," as claimed (claim 1) by Applicant.

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In addition, the Office Action asserts that Wistendahl teaches "using a conventional time sequence or a frame tracking tool, which determines the number of frames, i.e. time for a hot-spot." (Office Action, page 3). Applicant submits, however, that Wistendahl does not disclose or suggest "link data including . . . synchronization time indicating the temporal position of the additional at least one of audio, video and binary data," as claimed by Applicant. More specifically, in alleging that Wistendahl discloses this limitation, the Office Action points to Wistendahl's description of a "frame address which are arranged in a time sequence for display," (Col. 5, lines 25-30), and to Col. 11, lines 3-65.

These cited portions of Wistendahl, however, describe the outlines drawn around objects to create hot-spots as being static in nature. That is, these outlines are linked to a specific frame address of the media content for a specified duration that is based on the frame address of the last frame in which the object is detected. Thus, even considering the duration as a time interval, Wistendahl's linking does not provide or suggest "link data including . . . synchronization time indicating the temporal position of the additional at least one of audio, video and binary data" at least insofar as the static, specific frame address linking of Wistendahl does not indicate a time that the hot-spot is to appear. Moreover, Applicant submits that Peairs does not remedy this deficiency.

Accordingly, for at least the reasons presented above, Applicant respectfully submits that Wistendahl and Peairs, individually or in combination, neither teach nor suggest Applicant's claimed invention, and thus, the asserted § 103 rejection should be withdrawn.

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New Claims 2-17

New claims 2-17 have been presented to further claim aspects of Applicant's invention. Applicant respectfully submits that while these claims include recitations that provide further patentable distinction, they either depend (directly or indirectly) on claim 1 or otherwise include limitations similar to those recited in claim 1, and thus, are allowable at least for reasons similar to those presented above with respect to claim 1.

Conclusion

For at least the reasons stated above, Applicant respectfully submits that all pending claims are patentable over the prior art of record, and the application is in condition allowance for allowance, which action is earnestly solicited. To expedite prosecution of this application to allowance, the Examiner is invited to call the Applicant's undersigned representative to discuss any issues relating to this application.

Respectfully submitted,



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